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TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)

B04-08

In re Application of: Michael J. Sullivan et al.

Application No.: 10/797,810

Filed: March 10, 2004

For: MULTI-LAYERED CORE GOLF BALL

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 38,400

D. Michael Burns
 Signature

April 13, 2005
 Date

D. Michael Burns
 Typed or printed name

508-979-3583
 Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No.: 10/797,810
TC/A.U.: 3711 Docket No.: B04-08
Reply to Office Action of March 23, 2005

REMARKS

In the specification, the paragraph for CROSS REFERENCE TO RELATED APPLICATIONS has been amended to correct minor editorial problems and/or typographical errors. The reference to application 09/815,753 has been deleted as it was issued as a patent prior to the filing of the present application.

Claims 1-30 appear in this application for the Examiner's review and consideration.

Rejection Under Obviousness-type Double Patenting

Claims 1-30 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of co-pending Application No. 10/797,699.

A terminal disclaimer in compliance with 37 CFR 1.321(c) is filed herewith and included in the appendix of this response. It is believed this terminal disclaimer will overcome this provisional rejection.

Applicants respectfully request reconsideration and withdrawal thereof.

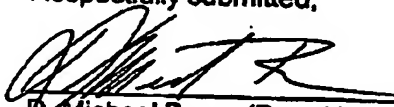
Conclusion

Based on the remarks set forth above, Applicants believe that all of the rejections have been overcome and the claims of the subject application are in condition for allowance. Should the Examiner have any further concerns or believe that a discussion with the Applicants' agent would further the prosecution of this application, the Examiner is encouraged to call the agent at the number below.

No fee, except for the Terminal Disclaimer fee, is believed to be due for this submission. However, should any required fees be due, please charge them to Acushnet Company Deposit Account No. 502309.

Respectfully submitted,

April 13, 2005
Date


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